

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.41605 and 41606 of 2016

M.Balasubramanian ... Petitioner in W.P.No.41605/2016

K.Sundaram ... Petitioner in W.P.No.41606/2016

vs.

M/s. State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002 ... Respondent in W.P.No.41605/2016

M/s. State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Salai,
Coimbatore-641 043. ... Respondent in W.P.No.41606/2016

Writ Petition No.41605 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of the petitioner, viz., Gratuity amount of Rs.10,00,000/-, Surrender of Earned Leave 52 days and Medical Leave 23.5 days amount of Rs.1,81,200/-, Commutation amount of Rs.5,00,000/-, Leave on Private Affairs amount of Rs.2,25,000/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College, Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.17,59,500/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 16.11.2016.

Writ Petition No.41606 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of the petitioner, viz., Provident Fund amount of Rs.3,98,940/-, Gratuity amount of Rs.7,35,800/-, Commutation amount of

Rs.2,80,350/-, Social Security Scheme amount of Rs.42,000/- and surrender of Earned Leave and medical leave amount of Rs.2,25,840/- altogether a sum of Rs.16,82,930/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 17.10.2016.

For Petitioner : Mr.D.Soundarraaj
in both the writ petitions

For Respondent : Mr.P.Kannankumar
in both the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondents.

4. The issue involved in the present writ petitions is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

5. Following the said judgment, without going into the merits of the matter, the respondent in both the Writ Petitions is directed to disburse the aforementioned retiral benefits to the petitioners herein, in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A. (MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence

from 01.02.2017

6. With the above direction, both the writ petitions are disposed of. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. Managing Director,
M/s. State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002

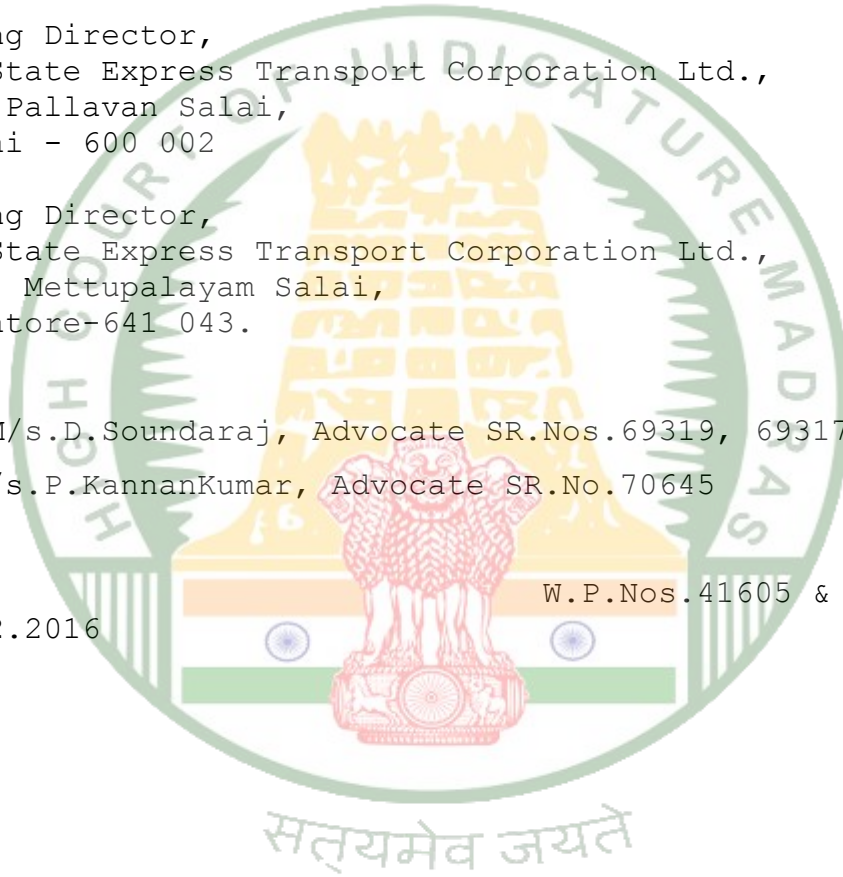
2. Managing Director,
M/s. State Express Transport Corporation Ltd.,
No.37, Mettupalayam Salai,
Coimbatore-641 043.

+2 CC to M/s.D.Soundaraj, Advocate SR.Nos.69319, 69317

+1cc to M/s.P.KannanKumar, Advocate SR.No.70645

W.P.Nos.41605 & 41606/ 2016

SDR 28.12.2016



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